

Message Text

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12

ORIGIN EB-07

INFO OCT-01 AF-06 ARA-06 EUR-12 EA-07 ISO-00 CIAE-00

COME-00 DODE-00 DOTE-00 FMC-01 INR-07 NSAE-00 CG-00

OFA-01 DLOS-04 FEA-01 AGR-05 CEA-01 FRB-03 H-02

INT-05 L-03 LAB-04 NSC-05 PA-01 AID-05 CIEP-01 SS-15

STR-04 TAR-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01

/118 R

DRAFTED BY EB/TT/MA:SVSMITH:BST

APPROVED BY EB/TT/MA:RKBANK

NMC:WJSMITH

MARAD:JHOEN

EUR/SE:ESMITH

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R 252219Z AUG 75

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA

INFO AMCONSUL ISTANBUL

USMISSION OECD PARIS

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY OSLO

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY MONROVIA

AMEMBASSY PANAMA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY TOKYO

AMEMBASSY STOCKHOLM

AMEMBASSY HELSINKI

AMEMBASSY ATHENS

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USMISSION EC BRUSSELS

AMEMBASSY MANILA

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E.O. 11652: N/A

TAGS:EWWT, GATT, OECD, TU

SUBJECT:OCEAN SHIPPING: GOT RESTRICTIONS

REF: ANKARA 6384

1. ALTHOUGH POUCHED TRANSLATION OF TEXTS OF TWO TURKISH COMMUNIQUE NOT YET RECEIVED, INFORMATION PROVIDED PARA 1 REFTEL IS SUFFICIENT FOR USG TO CONCLUDE THAT TURKISH ACTIONS IN THIS MATTER ARE INDEED FLAGRANTLY RESTRICTIVE AND IN RESTRAINT OF TRADE. IT IS THEREFORE IMPORTANT THAT THE EMBASSY MAKE IT CLEAR TO THE GOT THAT IF THIS POLICY IS MAINTAINED, THE ULTIMATE RESULT WILL PROBABLY BE RETALIATORY ACTIONS BY USG.

2. AT THE OUTSET, THE COMMERCE DEPARTMENT'S MARITIME ADMINISTRATION (MARAD) HAS FOUND THE GOT ACTION REPORTED REFTEL DISCRIMINATORY AND IS CANCELLING WAIVERS WHICH HAD ALLOWED TURKISH VESSELS TO CARRY 50 PERCENT OF U.S. EXIMBANK-FINANCED CARGOES. ADDITIONALLY, U.S. SHIPPING LINES ARE ALREADY APPROACHING THE FEDERAL MARITIME COMMISSION (FMC) ON THE POSSIBILITY OF THE FMC INITIATING PROCEDURES UNDER SECTION 19 OF THE MERCHANT MARINE ACT OF 1920. SECTION 19 PROVIDES

THAT THE FMC MAY MAKE RULES AND REGULATIONS IN ORDER TO ADJUST OR MEET CONDITIONS UNFAVORABLE TO SHIPPING IN THE U.S. FOREIGN TRADE.

3. FYI. DEPARTMENT HAS BROUGHT THE GOT COMMUNIQUE TO THE ATTENTION OF THE SHIPPING ATTACHES IN WASHINGTON OF MAJOR MARITIME NATIONS. THEY HAVE LIMITED OFFICIAL USE

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INFORMED THEIR GOVERNMENTS OF THE TURKISH ACTION AND WE UNDERSTAND THAT THE NORDIC COUNTRIES ARE ALREADY PLANNING COORDINATED ACTION IN PROTEST OF THE GOT COMMUNIQUE.

4. ACTION REQUESTED. EMBASSY ANKARA INFORM GOT AT THE HIGHEST APPROPRIATE LEVEL THAT THE USG VIEWS THIS MATTER VERY SERIOUSLY AND THAT, ESPECIALLY IN VIEW

OF THE LIMITED NUMBER OF TURKISH VESSELS AVAILABLE
TO CARRY U.S./TURKISH TRADE, IT WOULD PROBABLY
BE IN THE GOT'S BEST INTEREST TO RECONSIDER ITS TWO
COMMUNIQUE. INFORM THE GOT OF MARAD'S ACTION (PARA
2 ABOVE). EXPLAIN THAT QUITE APART FROM THE
U.S. EXECUTIVE BRANCH'S OPPOSITION TO THESE
RESTRICTIVE GOT ACTIONS, IT IS QUITE LIKELY THAT
AS A RESULT OF PROVISIONS OF THE MERCHANT MARINE
ACT OF 1920, THE FMC WILL BE REQUIRED TO HEED THE
COMPLAINTS OF THE INFLUENTIAL U.S. MARITIME
INDUSTRY TO INITIATE SECTION 19 ACTION AGAINST
TURKISH VESSELS. ON BASIS OF INFO PROVIDED REFTTEL,
FMC'S SECTION 19 ACTION WOULD PROBABLY BE TO
PROHIBIT TURKISH VESSELS FROM CARRYING TRADE TO AND
FROM U.S. PORTS. SUCH FMC ACTION WOULD NOT COME
INTO PLAY IMMEDIATELY, BUT IN VIEW OF THE
FLAGRANTLY
ISCRIMINATORY NATURE OF THE GOT COMMUNIQUE,
THE DEPARTMENT WILL LIKELY BE ALLOWED ONLY A VERY
LIMITED TIME (PERHAPS 6 - 8 WEEKS) IN WHICH TO RESOLVE
THIS MATTER DIPLOMATICALLY BEFORE THE FMC ACTS. EMBASSY
PLEASE CABLE GOT'S RESPONSE. INGERSOLL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MARINE TRANSPORTATION, IMPORT CONTROLS, TRADE CONTROLS, COMMUNIQUEs, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 25 AUG 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: RowellE0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE202111
Document Source: CORE
Document Unique ID: 00
Drafter: SVSMITH:BST
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750294-0951
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750820/aaaaarkv.tel
Line Count: 137
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 ANKARA 6384
Review Action: RELEASED, APPROVED
Review Authority: RowellE0
Review Comment: n/a
Review Content Flags:
Review Date: 21 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <21 APR 2003 by CunninFX>; APPROVED <08 OCT 2003 by RowellE0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CEAN SHIPPING: GOT RESTRICTIONS
TAGS: EWWT, EEWT, TU, US, GATT, OECD
To: ANKARA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006